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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 20 October 2018 from the Permanent Mission of Hungary to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Hungary to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith the national report of the Republic of Hungary on the implementation of resolution 1540 (2004) (see annex).

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Annex to the note verbale dated 20 October 2018 from the Permanent Mission of Hungary to the United Nations addressed to the Chair of the Committee

Report of Hungary on the implementation of Security Council resolution 1540 (2004)

The unanimous adoption of Security Council resolution 1540 (2004) on 28 April 2004 was a historic event, as it was the first Council resolution to address the threat of the proliferation of weapons of mass destruction and their means of delivery, in particular by non-State actors, to international peace and security. By its resolution 1977 (2011), the Council decided to extend the mandate of the Security Council Committee established pursuant to resolution 1540 (2004) for a period of 10 years, until 25 April 2021.

Hungary has already taken a range of legislative and executive measures that ensure compliance with resolution 1540 (2004), and it continuously reviews its policies, with a view to establishing any further action that may be necessary. We are fully committed to the work of the Committee in ensuring global implementation of the resolution, including by providing assistance or advice to others, where appropriate.

The report of the European Union, submitted separately, covers the competences and activities of the European Union and European Community in relation to resolution 1540 (2004). It should be read in conjunction with the present report.

Legislative action

Hungary has a wide range of legislative measures in place to prevent the proliferation and use of weapons of mass destruction, including by non-State actors. The centrepieces of this legislative framework are set out below.

Hungary renounces war as a means of solving disputes between nations and refrains from the use of force and the threat thereof against the independence or territorial integrity of other States. Under its legal system, Hungary accepts the generally recognized principles of international law and aligns its domestic law with its obligations assumed under international law. The generally accepted principles of international law, such as those set out in resolution 1540 (2004), form an integral part of Hungarian law, without being formally incorporated into its legislation. In view of the above, related domestic regulations are to be interpreted in such a way as to ensure the effective implementation of these principles.

Relevant international treaties are incorporated into Hungarian law through the various acts and law decrees of the country, making the treaties accessible to citizens and providing a means to designate the competent authorities responsible for their implementation. During the alignment of the country's domestic laws with its obligations under international treaties on the non-proliferation of weapons of mass destruction, the Penal Code of Hungary (Act C of 2012) was amended accordingly. In accordance with national procedures, criminal law provisions are the appropriate means for penalizing and thereby (implicitly) prohibiting acts by non-State actors deemed socially harmful or potentially dangerous to the community.

Executive action and enforcement

An interministerial committee on non-proliferation, set up under Government Decree No. 2016/1999, was responsible for compliance with the country's commitments under non-proliferation treaties, regimes and various international initiatives. Among its other functions, the committee discussed and issued an opinion

on issues related to non-proliferation and provided guidance on priorities for the work of individual ministries. The committee reviewed and coordinated the enforcement and practical implementation of the country's international non-proliferation commitments. The committee was terminated in 2010 by Government Decree No. 171/2010. At present, negotiations for a new committee are ongoing.

The Hungarian Trade Licensing Office merged with the Government Office of the Capital City Budapest on 1 January 2017. The legal successor organization is the Department of Trade, Defence Industry, Export Control and Precious Metal Assay of the Government Office of the Capital City Budapest (www.mkeh.gov.hu), which operated under the supervision of the Ministry of Finance until 21 May 2018 and, since then, under the Ministry for Innovation and Technology. Like its predecessor, the Department is the national authority on the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and is responsible for the national implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

The Department of Trade, Defence Industry, Export Control and Precious Metal Assay is also the designated authority for foreign trade licensing, under which two separate units issue licences for the trading of conventional military equipment and technology and for dual-use items, software and technology, including transit and brokering activities. Both units are responsible for implementing embargoes and international trade restrictions imposed by the United Nations, the European Union and the Organization for Security and Cooperation in Europe. (Government Decree No. 365/2016, on the designation of the Government Office of the Capital City Budapest as the authority in certain industrial and commercial matters and on the designation of the regional metrology and technical safety authorities; Government Decree No. 13/2011, on the licensing of foreign trade in dual-use goods; and Government Decree No. 156/2017, establishing the detailed rules for the licensing of defence-related activities and the certification of enterprises.)

The Hungarian Atomic Energy Authority (www.haea.gov.hu) performs the regulatory tasks relating to the peaceful, safe and secured use of atomic energy, in particular the safety and security of nuclear facilities and radioactive waste repositories, the safety and security of equipment emitting ionizing radiation, activities to combat the proliferation of nuclear weapons, the management of nuclear emergencies and the respective public information activities. (Act CXVI of 1996, on atomic energy, and Government Decree No. 112/2011, on the scope of activities of the Authority in connection with its international obligations, including under the European Union, its powers, its competence in imposing penalties and the duties of its co-authorities and on the scientific committee assisting the Authority and the activities of the Atomic Energy Coordination Council. The Decree regulates an authorization system, the responsibilities of operators and inspection and enforcement activities.)

The National Tax and Customs Administration (https://nav.gov.hu) is responsible for preventing the import and export of unlicensed goods, investigating offences and taking appropriate action (Act CXXII of 2010). The national security services play a key role in detecting and preventing the illicit trafficking of internationally controlled products and technologies (Act CXXV of 1995).

In the European Union

Hungary, in its capacity as a State member of the European Union, fully supports the European Security Strategy, entitled "A secure Europe in a better world" (adopted on 12 December 2003 by the European Council), and the European Union Global

Strategy on Foreign and Security Policy, entitled "Shared vision, common action: a stronger Europe" (adopted in October 2016), which aim to improve the protection of the European Union and its citizens, help Governments to jointly build military capacity and develop better responses to crises.

International instruments

Hungary is a party to the relevant international treaties, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological Weapons Convention. Hungary signed and ratified the Comprehensive Nuclear-Test-Ban Treaty and the International Convention for the Suppression of Acts of Nuclear Terrorism (signed in New York on 13 April 2005 and ratified in 2007). Hungary has been a State member of the International Atomic Energy Agency (IAEA) since 1957 and has concluded an IAEA safeguards agreement and an additional protocol thereto. Hungary has ratified the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment, which modified the name to the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities.

Hungary is a participating State in the following export control regimes: the Missile Technology Control Regime, the Nuclear Suppliers Group, the Zangger Committee, the Australia Group, the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies and the Hague Code of Conduct against Ballistic Missile Proliferation. Hungary chaired the plenary meeting of the Hague Code of Conduct in 2008, the Nuclear Suppliers Group in 2009, the annual meeting of the States parties to the Biological Weapons Convention in 2013 and the eight Review Conference of the States Parties to the Biological Weapons Convention, held in 2016.

Hungary lent its full support to the aims of the Proliferation Security Initiative and has taken part in practical exercises organized within that framework. The Initiative aims to help prevent trafficking in weapons of mass destruction and related material by both State and non-State actors. The Statement of Interdiction Principles of the Initiative, agreed upon in Paris on 4 September 2003, makes it clear that all action is to be consistent with national legislation and international legal frameworks. In 2007, Hungary joined the Global Initiative to Combat Nuclear Terrorism, launched by the Russian Federation and the United States of America. Hungary participated in the high-level political meetings of the Initiative, including the most recent one, held in May 2018 in Paris, and endorsed all four joint statements adopted at that meeting. Hungary also supported the joint statement issued in January 2018 by partners of the Initiative in support of Security Council resolutions 2375 (2017) and 2397 (2017).

Technical assistance provided to other States

Hungary recognizes that some States may require assistance in implementing the provisions of resolution 1540 (2004) within their territories. In this regard, Hungary is willing to provide assistance, as appropriate, to States lacking the legal and regulatory infrastructure or the implementation experience needed to fulfil the provisions of the resolution. Experts of the Department of Trade, Defence Industry, Export Control and Precious Metal Assay assist other States in developing their legal framework and administrative capacities through various outreach missions and assistance programmes of the European Union and the United States.

Between 2005 and 2007, within the framework of the Australia Group export control regime, Hungary, together with Bulgaria, provided training and assistance to five countries of the Western Balkans to build capacity with regard to the legislative background and political functioning of their respective national export control systems.

Hungary is proud to have hosted an advanced on-site inspection training course for experts from States signatories of the Comprehensive Nuclear-Test-Ban Treaty Organization, which was held in Szolnok and Táborfalva from 21 October to 2 November 2007.

From 2010 to 2017, commodity identification training sessions in nuclear, chemical, biological and dual-use items were organized by the Department of Energy of the United States and coordinated by the National Tax and Customs Administration. The sessions gave useful background information for customs officers to check and identify material and products that are researched, developed and produced for use in terrorist acts.

As a member of the International Network for Nuclear Security Training and Support Centres of IAEA, Hungary provides assistance on nuclear security to other States.

Comments in relation to the specific issues contained in resolution 1540 (2004)

In **paragraph 1**, the Security Council:

Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

The Government of Hungary is fully committed to this principle and does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use weapons prohibited by international treaties. Those acts are penalized and therefore (implicitly) forbidden under Hungarian criminal law. Perpetrators of such acts, including abettors and accomplices, are severely punished. Furthermore, the framework and institutional set-up for export controls ensures compliance with this principle.

In **paragraph 2**, the Security Council:

Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

Action taken

Through the promulgation of Law Decree No. 12/1970, on the Treaty on the Non-Proliferation of Nuclear Weapons, Law Decree No. 11/1975, on the Biological Weapons Convention, and Act CIV of 1997, on the Chemical Weapons Convention, the cited international treaties were incorporated into Hungarian law.

Since the submission of the previous report, the Penal Code of Hungary has undergone several changes and has been completely restructured.

Furthermore, on the basis of Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law, through an amendment from 2010, "disposal" was inserted as a new crime in the Penal Code, in subsection (1) of section 250, on the misuse of radioactive substances.

It should be noted that in the new Penal Code that came into force on 1 July 2013, some amendments are relevant to the execution of the obligations contained in resolution 1540 (2004). The most important amendments include the following:

(1) The use of weapons prohibited under international conventions (section 155) is included in chapter XIV, on war crimes. The defining elements of the crime were not changed, but the penalty was increased to between 10 and 20 years of imprisonment.

(2) The misuse of toxic substances (section 188) is contained in chapter XVII, on crimes involving threats to health. The crime is subsidiary, meaning that it can only be established if a more serious crime has not been committed. The illegal use of toxic substances is a new crime, and the penalty is confinement.

(3) Violations of waste management regulations (section 248), the misuse of radioactive substances (section 250), the illegal operation of nuclear facilities (section 251) and crimes involving nuclear energy (section 252) are included in chapter XXIII, on crimes against the environment and nature. The elements of the crimes were not changed, but the penalty was raised to between one and five years of imprisonment. Dangerous radioactive substances are defined by law.

(4) Acts of terrorism (sections 314–316), the failure to report acts of terrorism (section 317), the financing of terrorism (section 318) and a provision defining the term "terrorist group" (section 319) are contained in chapter XXX, on crimes against public safety.

(5) Crimes involving weapons prohibited under international conventions (section 326), violations of international economic restrictions (section 327), the failure to report violations of international economic restrictions (section 328), the misuse of military items and services (section 329) and the misuse of dual-use items and technology (section 330) are included in chapter XXXI, on crimes against economic regulations imposed on the basis of international obligations.

The illegal deactivation of weapons is a new crime related to crimes involving weapons prohibited under international conventions (section 326). The distribution, as opposed to the trading, of such weapons is also a new crime. Three new aggravating circumstances have been inserted into the law, namely, if the crime has been committed as part of a business operation, with accomplices or by a public official, which are punishable by 10 to 20 years of imprisonment. Engaging in preparations to commit such crimes is punishable by one to five years of imprisonment.

In relation to violations of international economic restrictions (section 327), the penalty was raised to one to five years of imprisonment. There are two new aggravating circumstances, namely, if the crime has been committed as part of a business operation or in connection with the trade of those goods listed in annex II of Council Regulation (EC) No. 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

The misuse of military items and services (section 329) and the misuse of dual-use items and technology (section 330) are in separate provisions. Distribution within the country is a newly listed crime and the penalty for engaging in preparations to commit such a crime is raised in section 329. The penalty for the misuse of dual-use items and technology was changed to between one and five years of imprisonment. There are two new aggravating circumstances, namely, if the crime committed involved those chemical substances listed in part B of the annex on chemicals of the Chemical Weapons Convention and the misuse of nuclear dual-use items.

(6) Violations of regulations on the control of epidemics (section 361) are contained in chapter XXXIV, on crimes against administrative procedures. The penalty is confinement.

In order to combat financing of the proliferation of weapons of mass destruction, Act LII of 2017, on the implementation of financial and asset restraint measures imposed by the European Union and the Security Council, was adopted as part of the implementation of the European Union acquis.

The Hungarian Financial Intelligence Unit of the National Tax and Customs Administration is the competent authority for enforcing financial restrictive measures adopted within the European Union. Persons or organizations subject to Act LII of 2017 and authorities dealing with property registration are obliged to report to the Unit the data, facts and circumstances indicating that the individual or organization subject to the restrictive measures has assets or economic resources covered under such measures within the territory of Hungary.

In addition, the Hungarian Atomic Energy Authority organized a meeting for Hungarian exporters, importers and distributors of dual-use items used for nuclear technologies to familiarize them with and encourage their involvement in the Hungarian support programme for the IAEA safeguards. Since 2011, Hungary has been participating in a programme aimed at collecting and analysing information on the trading of nuclear material.

In **paragraph 3**, the Security Council:

Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related material and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport.

Action taken

Through the promulgation of Law Decree No. 12/1970, on the Treaty on the Non-Proliferation of Nuclear Weapons, Law Decree No. 11/1975, on the Biological Weapons Convention, and Act CIV of 1997, on the Chemical Weapons Convention, the cited international treaties were incorporated into Hungarian law. In order to implement those acts, Hungary adopted Government Decree No. 212/1998, on the implementation of obligations arising from the Chemical Weapons Convention and the organization of supervision, and Government Decree No. 21/2013, on the implementation of obligations arising from the Biological Weapons Convention and the organization of supervision. In this regard, Hungary submits its annual obligatory reports on chemicals and the annual voluntary report on confidence- and security-building measures regarding biological and toxic agents.

Act CXVI of 1996, on atomic energy, declares, as an underlying principle, that Hungary shall promote the peaceful and safe use of atomic energy through international cooperation (section 3 of the Act). It sets out a comprehensive control regime with safeguards and creates the relevant institutional framework. Government Decree No. 112/2011, on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations, its powers, its competence in imposing penalties and the duties of its co-authorities and on the scientific committee assisting the Authority, should be noted as well. At the national level, the Authority, in cooperation with technical support institutes, carries out verifications of all nuclear-related material. (The latter was amended by Government Decree No. 112/2011 (VII. 4).)

Inspectors of IAEA have regularly carried out verifications of national records since 1999.

On 30 March 1972, an agreement for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons was signed with IAEA (and promulgated through Law Decree No. 9/1972). In 1998, the parties signed an additional protocol to the agreement (promulgated through Act XC of 1999), which established a national record system and data control system for long-term projects, research and development, as well as for manufacturing and export-import activities related to nuclear fuel cycles, nuclear sites and other facilities. The protocol was suspended by Hungary, and a trilateral Euratom-IAEA-Hungary safeguards agreement and an additional protocol were concluded and promulgated through Act LXXXII of 2006.

Since 1 May 2004, Hungary has been a party to the Treaty establishing the European Atomic Energy Community, chapter 7 of which deals with nuclear safeguards. Those safeguards are implemented by the European Commission, which is mandated under the Treaty to verify that civil nuclear material is not diverted from its declared use. An agreement and an additional protocol thereto between Belgium, Denmark, Germany, Ireland, Italy, Luxembourg, the Netherlands, Euratom and IAEA on the implementation of article III, paragraphs 1 and 4 of the Treaty on the Non-Proliferation of Nuclear Weapons were promulgated through Act LXXXII of 2006.

In the field of nuclear security, pieces of relevant legislation include Government Decree No. 7/2007, issued by the Ministry of Justice, on the system of accounting for and control of nuclear material; Government Decree No. 144/2011, on the regulation of foreign trade in nuclear material and nuclear dual-use items; Government Decree No. 190/2011, on the physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection; Government Decree No. 11/2010, issued by the Ministry of National Development, on the rules of accounting for and control of radioactive material and on the corresponding data provision; Government Decree No. 490/2015, on notifications and interventions relating to missing, found and confiscated nuclear and other radioactive substances and other measures to be taken following the notification of nuclear and radioactive substances.

Act XXV of 2000, on chemical safety, sets out the obligations pertaining to the registration of (accounting for), secure storage, secure transport and secure packaging of dangerous substances and agents. The Department of Trade, Defence Industry, Export Control and Precious Metal Assay, in its capacity as the national authority on the Chemical Weapons Convention, registers, controls and issues licences for transfers related to chemical agents and substances. (Government Decree No. 212/1998, on the implementation of obligations arising from the Convention on Chemical Weapons and the organization of supervision.)

Government Decree No. 61/1999, issued by the Ministry of Human Capacities, on the protection of workers from risks related to biological agents, sets out the rules regarding, inter alia, the registration of, the obligatory medical supervision and control of and the introduction of appropriate protective measures for industry and laboratory facilities and processes dealing with biological agents.

Relevant provisions of the Penal Code include section 188, on the misuse of toxic substances, section 248, on violations of waste management regulations, and section 361, on violations of regulations on the control of epidemics.

European Union legislation includes Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards; Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and

administrative provisions relating to the classification, packaging and labelling of dangerous substances; Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work; Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work; Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the member States with regard to the transport of dangerous goods by road; Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods.

Examples of other international agreements incorporated into Hungarian law include the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Act CIX of 2004); the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Government Decree No. 266/2004); and the European agreements on the transport of dangerous goods by road, rail and inland waterways. (Law Decree No. 19/1979; various annexes of these European agreements have also been incorporated into Hungarian law, through Government Decree No. 177/2017 (inland waterways), Government Decree No. 178/2017 (road) and Government Decree No. 179/2017 (rail).)

The legal framework for the system of accounting for nuclear material was established in 1971. Since 1972, the national system has been in compliance with IAEA requirements. The implementation of the IAEA safeguards agreement is regulated by Government Decree No. 7/2007, issued by the Ministry of Justice, on the system of accounting for and control of nuclear material.

Since the country's accession to the European Union in 2004, accounting systems at the local level have been regulated by Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards. Hungary has also continued to maintain its national system of accounting for nuclear material since its accession, which is operated and maintained by the Hungarian Atomic Energy Authority.

Statements of Hungary made in relation to the additional protocol to the IAEA safeguards agreement contain data on the 10-year plan for nuclear fuel cycles, research and development, manufacturing and nuclear export-import activities and all buildings on nuclear sites.

International verifications of the national system of accounting for nuclear material were carried out by the inspectors of IAEA until our accession to the European Union in 2004. Since then, inspectors of Euratom have also been involved.

Accounting for nuclear material is a key element in support of nuclear security. Recognizing its importance, Hungary has always emphasized the need for a well-functioning State System of Accounting for and Control of Nuclear Material. In addition to complying with international safeguards obligations, the Hungarian System also includes a national centralized registry of all radioactive material and waste above exemption levels. Moreover, all administrative details of the owners or licensees of the radioactive material are registered. The System is implemented by the Hungarian Atomic Energy Authority, which carries out verifications either in parallel with or independently of international organizations.

In 2011, Hungary started comprehensive safeguard verifications at its nuclear facilities. The objective of the verifications is to review the compliance of the facility's safeguards system with the relevant legal instruments in force. The main tools consist in reviewing all the safeguards-relevant procedures of the facility and assessing any related activities, evaluating whether the procedures guarantee sustainability and assessing any improvement of the safeguards system at all levels.

The main focus is to assess the management's commitment to fulfilling the obligations on safeguards.

Hungary has launched a support programme aimed at strengthening the IAEA safeguards system. Within the framework of this programme, several tools have been developed for verifying the fissile content of nuclear material or the absence of nuclear material.

Within the framework of the Global Threat Reduction Initiative, with the help of the Department of Energy of the United States, the Hungarian Atomic Energy Authority has upgraded the physical security of more than 30 sites with category 1 or 2 radioactive sources in Hungary. The Authority (which is a party to the European Nuclear Security Regulators Association) actively participates in the International Physical Protection Advisory Service by providing experts for its missions.

Hungary shares the view that appropriately addressing the issue of fissile material for nuclear weapon purposes could make an important contribution to enhancing international and regional security. Hungary attaches a clear priority to the immediate commencement and early conclusion of negotiations at the Conference on Disarmament on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

Planned actions

To further enhance the culture of nuclear safety and security at nuclear facilities.

In **paragraph 3**, the Security Council:

> *Decides also* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related material and to this end shall:
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> ...
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> (b) Develop and maintain appropriate effective physical protection measures.

Action taken

Hungary promulgated the Convention on the Physical Protection of Nuclear Material through Law Decree No. 8/1987 and ratified the 2005 Amendment to the Convention on 4 December 2008 through Act LXII of 2008.

Since 2008, Hungary has reformed its legal and regulatory framework for the physical protection of nuclear facilities and nuclear and other radioactive material based on the new IAEA Nuclear Security Series of documents. Act CXVI of 1996, on atomic energy, was amended in 2011 to cover the basic provisions on nuclear security and physical protection. Hungary also adopted Government Decree No. 190/2011, on the physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection. In 2013, under the auspices of the International Physical Protection Advisory Service, international experts of IAEA conducted a full review of the regulatory system regarding nuclear security. In 2017, Hungary invited a follow-up mission to evaluate the fulfilment of the recommendations given in the final report on the initial review.

In addition to being covered by the provisions of the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities, radioactive material and equipment emitting ionizing radiation without the use of radioactive material (such

as X-ray machines or accelerators) are covered by the national legal framework in Hungary.

Hungary is responsible for the establishment of the legal and institutional framework for responding to actions exceeding the thresholds defined in the design basis threat. The Hungarian Atomic Energy Authority is responsible for the definition of design basis threats, with the involvement of the National Police headquarters, the Constitution Protection Office, the Military National Security Service and the Counter-Terrorism Centre. The Authority and National Police headquarters are responsible for issuing licences for physical protection plans and inspecting their implementation. The licence holders are responsible for the implementation of the system as described in the physical protection plans.

According to national regulation, the holders of radioactive sources and waste, as well as the users of equipment generating ionizing radiation without the use of radioactive sources, shall comply with requirements that take into account the basic principles of physical protection (i.e. protection in depth, balanced protection and minimal consequences in the case of a component failure). The required physical protection levels (i.e. A, B, C and D) vary according to categories of nuclear and other radioactive material. The material is categorized according to the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities and the Code of Conduct on the Safety and Security of Radioactive Sources. The licensees of nuclear facilities shall ensure adequate protection against the facility-related specific design basis threats (performance-based requirements) and shall also comply with the above principles.

Penalization and prohibition of acts related to physical protection include the following, as described in relevant excerpts from Act C of 2012 of the Penal Code:

- Section 250, on the misuse of radioactive substances: (1) Any person who, without proper authorization, produces, acquires, possesses, distributes, processes or otherwise uses a radioactive substance or preparation that is dangerous to health or the environment, or transfers it to an unauthorized person, is guilty of a felony punishable by imprisonment for up to five years. (2) Any person who produces, stores, transports or disposes radioactive substances by infringing any legal obligation shall be punishable according to subsection (1).
- Section 251, on the illegal operation of nuclear facilities: (1) Any person who operates a nuclear facility without the authorization prescribed by law or in a manner that is inconsistent with the provisions of the authorization is guilty of a felony punishable by imprisonment for up to five years. (2) The person who commits the crime defined in subsection (1) with accomplices shall be punishable by imprisonment for two to eight years.
- Section 252, on crimes involving nuclear energy: (1) Any person who, in order to obtain the authorization prescribed by law for the use of nuclear energy, misleads the body or person vested with decision-making powers is guilty of a felony punishable by imprisonment for up to five years. (2) The person who fails to fulfil his or her obligation of notification in connection with the application of nuclear energy as prescribed by law shall be punishable by imprisonment for up to three years.
- National legislation includes Government Decree No. 118/2011, on the nuclear safety requirements for nuclear facilities and the procedures of the Hungarian Atomic Energy Authority concerning nuclear safety regulatory matters; Act CXXVIII of 2011, on the monitoring of catastrophes and the modification of related acts; and Government Decree No. 219/2011, on the containment of the fallout resulting from accidents involving dangerous substances.

The Hungarian Academy of Sciences, in its capacity as supervisor of research institutes, introduced rules and regulations covering a wide range of activities related to the Biological Weapons Convention. General rules on biological safety are adopted and subsequently adapted, in each and every case, to the specific conditions and requirements of the respective institutions. Special measures have been put in place to ensure the physical protection of the research institutes to prevent unauthorized access to and removal of pathogenic or toxic material from laboratory sites. The transportation, storage and destruction of these items is also carefully monitored. Biological safety and security is ensured through the adoption of related rules of procedures and constant training of laboratory staff. Research institutes must work out appropriate contingency planning so as to be in a position to effectively deal with contingency situations. The Academy also has a department for nuclear security issues.

National rules and regulations pertaining to the physical protection of microbial or other biological agents and toxins are based on norms set by the World Health Organization (WHO) and the Centers for Disease Control and Prevention of the United States. Under Act XLVII of 1997, on the management and protection of health-related data and relevant personal data, a reporting obligation is specified for cases of infectious diseases resulting from biological pathogens and toxins (such as those defined as category A by the Centers for Disease Control or bioterrorism agents and diseases like anthrax or the plague). Government Decree No. 385/2016 sets out the duties and tasks of the government offices and local (district) offices and designates the public health authority.

In 1999, as a part of a biosecurity programme initiated by the Ministry of Defence, a rapidly deployable biosafety level 3 army laboratory (a mobile biological laboratory complex) was established. The laboratory is capable of dealing with the detection and identification of bioterrorism agents. Its primary task is to provide safe conditions for sample handling, effective sample preparation and clean sample manipulation. In approximately two hours and fifteen minutes, the laboratory becomes operational.

Under the supervision of the Ministry of Defence, the task of the medical centre of the Hungarian Defence Forces is to detect and identify the potential agents of bioterrorism or biowarfare among field circumstances up to biosafety level 3.

A national safety laboratory was established in 2006 as part of the National Public Health Centre to help to protect the borders of the Schengen area. It operates both biosafety level 3 and 4 laboratories dealing with pathogens in risk groups 3 and 4 of importance in terms of public health and bioterrorism using a broad spectrum of molecular and classical microbiological methods. Relevant laws have designated the laboratory as the exclusive organization in Hungary for performing diagnostics of high-risk viruses and bacteria with support of WHO as a reference laboratory. The majority of the reference laboratories in Hungary are under the authority of the National Public Health Centre. The diagnostic capabilities of the laboratory are continually tested using European Union and international proficiency tests. The staff of the laboratory regularly participate in international seminars and trainings. The laboratory is also part of the network of the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons.

The Hungarian Biotechnology Association was established by the leading human biotechnology companies of Hungary with the aim of promoting the development and interests of the Hungarian biotechnology sector. The Association is strict in condemning any form of research and development that could potentially contribute to the development or proliferation of biological and toxin weapons of mass destruction.

The international treaties that set out the relevant obligations include the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (Act CIX

of 2004); the Convention on Nuclear Safety, signed in Vienna on 20 September 1994 (Act I of 1997); the Convention on the Physical Protection of Nuclear Material, signed in Vienna and New York on 3 March 1980 (Law Decree No. 8/1987) and its 2005 Amendment (Act LXII of 2008).

In **paragraph 3**, the Security Council:

> *Decides also* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related material and to this end shall:
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> ...
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> (c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law.

Act CXXII of 2010, on the National Tax and Customs Administration, the Union Customs Code and Act CLII of 2017, on the implementation of the Union Customs Code in Hungary, grant competent agencies and officers the executive powers necessary for the effective detection, interdiction and confiscation of prohibited items.

The Department of Trade, Defence Industry, Export Control and Precious Metal Assay carries out visits to assess compliance to Hungarian manufacturers, exporters and academic institutes (Government Decree No. 13/2011, on the licensing of foreign trade in dual-use goods). Government Decree No. 364/2016 mandates the Government Office of the Capital City Budapest to impose administrative fines in cases of non-compliance with established rules and regulations. National security services play a key role in detecting and preventing the illicit trafficking of items and technologies included in the lists of international export control regimes (Act CXXV of 1995).

Sections 329 and 330 of the Penal Code penalize violations of rules and regulations pertaining to the transfer of military equipment and services and dual-use items and technologies.

In addition, the Hungarian Atomic Energy Authority actively participates in the activities of the Incident and Trafficking Database. The Authority supports the development of a web-based version, which would ensure the possibility of accessing the Database in real time.

Pursuant to the Act CXVI of 1996, as amended in 2011, elements of nuclear security include:

> (1) Prevention of the unauthorized handling of nuclear and other radioactive material, unauthorized use of radioactive material, sabotage, malevolent acts and damage to the environment committed with nuclear or other radioactive material;
>
> (2) Physical protection, based on a defined threat level, against the unauthorized handling, use, storage or transport of nuclear and other radioactive material, as well as against sabotage;
>
> (3) Detection of malevolent acts, damage to the environment committed with nuclear and other radioactive material and misuse of radioactive material;
>
> (4) Implementation of urgent and comprehensive measures to locate missing or stolen nuclear or other radioactive material and, if appropriate, to regain regulatory control;

(5) Mitigation or minimization of the consequences of sabotage, malevolent acts and damage to the environment committed with nuclear or other radioactive material.

In **paragraph 3**, the Security Council:

Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related material and to this end shall:

...

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.

Legislation includes Government Decree No. 13/2011, on the licensing of foreign trade in dual-use goods, Government Decree No. 144/2011, on the regulation of foreign trade in nuclear material and nuclear dual-use items, and Government Decree No. 365/2016, on the designation of the Government Office of the Capital City Budapest as the authority in certain industrial and commercial matters and on the designation of the regional metrology and technical safety authorities.

The Department of Trade, Defence Industry, Export Control and Precious Metal Assay is the export-import licensing authority in Hungary, under which two separate units issue licences for the trading of conventional military equipment and technology and for dual-use goods, including transit and brokering activities. The Export Control Unit of the Department issues the licences for the export and import of dual-use products (Government Decree No. 13/2011).

The Hungarian Atomic Energy Authority acts as a special licensing body under Government Decree No. 144/2011. The export, import and transit of nuclear material and nuclear-related dual use items are all subject to license and registration.

Relevant European Union initiatives include Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Regulation (EU) No. 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code and the European Union Global Strategy on Foreign and Security Policy, entitled "Shared vision, common action: a stronger Europe" (adopted in October 2016).

Sections 329 and 330 of the Penal Code penalize violations of rules and regulations relating to the transfer of military equipment and services and dual-use products and technologies.

Planned actions

Strengthening the enforcement of existing legislation through better coordination of involved government agencies.

In **paragraph 5**, the Security Council:

Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State

> Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons.

Hungary is a party to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological Weapons Convention.

Hungary has signed the IAEA safeguards agreement and the additional protocol thereto.

Hungary is a member of IAEA and the Organisation for the Prohibition of Chemical Weapons (OPCW).

Hungary was a member of the IAEA Board of Governors between 2011 and 2013.

In **paragraph 6**, the Security Council:

> *Recognizes* the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists.

Hungary applies the directly applicable and binding European Union control list (Council Regulation (EC) No. 428/2009, annex I), which unifies and harmonizes the control lists adopted in the multilateral export control regimes of which Hungary and the other European Union member States are members.

In **paragraph 7**, the Security Council:

> *Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions.

Hungary recognizes that some States may require assistance in implementing the provisions of the resolution within their territories. Hungary is ready to share its experiences in developing and maintaining effective controls over nuclear, biological and chemical material as well as dual-use goods and technologies.

In **paragraph 8**, the Security Council:

> *Calls upon* all States:
>
> (a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons.

To this end, Hungary participates in the implementation of relevant European Union common positions and joint actions promoting the universalization of and full compliance with the key multilateral non-proliferation instruments (including the Chemical Weapons Convention, the Biological Weapons Convention and the Nuclear Non Proliferation Treaty).

In 2011, Hungary was a partner in a nuclear safeguards workshop funded by the European Union. The workshop was held by the Hungarian Atomic Energy Authority and its technical support organizations for the experts of the National Centre for Nuclear Safety and Radiation Control of Egypt. A project concerning the provision of assistance related to the first cooperation steps for developing and strengthening the

capabilities of the Egyptian Atomic Energy Authority and its National Centre for Nuclear Safety and Radiation Control was developed, also funded by the European Union. Hungary gave assistance to Egypt to improve its nuclear material accounting and develop a national control safeguards system. The importance of adhering to the additional protocol to the IAEA safeguards agreement was also emphasized.

In **paragraph 8**, the Security Council:

Calls upon all States:

...

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties.

Action taken

Action taken includes the penalization and thereby (implicit) prohibition under the Penal Code (Act C of 212) of acts committed by non-State actors in violation of related international treaties; Law Decree No. 12/1970, on the country's ratification and subsequent promulgation of the Treaty on the Non-Proliferation of Nuclear Weapons; Act CIV of 1997, on the ratification and subsequent promulgation of the Chemical Weapons Convention; and Law Decree No. 11/1975, on the ratification and subsequent promulgation of the Biological Weapons Convention.

Other examples include Act CXVI of 1996, on atomic energy; Law Decree No. 9/1972, on the promulgation of the agreement concluded between Hungary and IAEA for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons; Act XC of 1999, on the conclusion of an additional protocol (signed in 1998) to the agreement; Government Decree No. 13/2011, on the licensing of foreign trade in dual-use goods; Government Decree No. 144/2011, on the regulation of foreign trade in nuclear material and nuclear dual-use items; Act LXXXII of 2006, promulgating the trilateral Euratom-IAEA-Hungary safeguards agreement and protocol, as well as the agreement and additional protocol on the implementation of article III, paragraphs 1 and 4 of the Treaty on the Non-Proliferation of Nuclear Weapons.

In **paragraph 8**, the Security Council:

Calls upon all States:

...

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes.

Action taken

Hungary continues to provide full support for the aims and activities of IAEA, both as a State party and as a member of the Board of Governors. Hungary launched a support programme aimed at strengthening the IAEA safeguards system. It continues to provide full support for the aims and activities of OPCW, both as a State party and in special periods when it is a member of the executive council (for example, 2001–2003 and 2011–2013). Hungary is also fully committed to strengthening the Biological Weapons Convention and actively participated in the

development of a follow-up process to promote negotiations on the advancement of a verification process for this convention. Hungary was Vice-Chair of the seventh Review Conference of the States Parties to the Biological Weapons Convention and chaired the eight Review Conference. Hungary traditionally submits the draft resolution on the Biological Weapons Convention to the First Committee of the General Assembly. Hungary chaired the plenary meeting of the Hague Code of Conduct in 2008 and that of the Nuclear Suppliers Group in 2009.

In **paragraph 8**, the Security Council:

> *Calls upon* all States:
>
> ...
>
> (d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws.

Action taken

Actions include building close working relationships with industry, established through government and industry committees, and conducting awareness-raising seminars and workshops. The Government provides advice and assistance to industry and academia on ways to meet their obligations stemming from the country's international treaty obligations. Information is regularly disseminated through government websites, publications and leaflets. Hungary participates in the implementation of the European Union strategy against the proliferation of weapons of mass destruction.

In addition, both the Hungarian Atomic Energy Authority and the Department of Trade, Defence Industry, Export Control and Precious Metal Assay keep regular contact with the major nuclear export and import licences and other stakeholders, such as universities and research laboratories.

In **paragraph 9**, the Security Council:

> *Calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery.

Hungary continues to promote dialogue and cooperation on non-proliferation in a range of forums so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons and their means of delivery.

In **paragraph 10**, the Security Council, to further counter that threat:

> *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials.

Action taken

Hungary maintains regular and direct contact with other States and their respective authorities and works with them to achieve the aims set out in resolution 1540 (2004). At the 2012 Seoul Nuclear Security Summit, Hungary offered practical training courses in the field of physical protection of nuclear facilities and nuclear and other radioactive material, to be implemented in collaboration with IAEA, as a "house gift".

In 2014, the Strategic Trade Controls Enforcement Project, launched and managed by the World Customs Organization, was held with the active involvement

of Hungary. The Cosmo operation has concentrated on the increased control of international trade of strategic goods (dual-use items and conventional weapons), facilitated international dialogue on cross-border customs and provided a means to discuss the challenges, key findings and best practices.

More information on the implementation of Security Council resolution 1540 (2004) by the Government of Hungary can be found in the matrix attached hereto (see enclosure).*

* The enclosure is being circulated in the language of submission only and without formal editing.

Enclosure

Approved 1540 Committee matrix of Hungary

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: **Hungary**

Date (date)

	Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit: 27 May 1969	
2	Nuclear Weapons Free Zone/Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Signature: 14 Sep 2005	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit: 04 May 1984	
5	2005 Amendment to the CPPNM	X	Ratification: 04 Dec 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit: 13 July 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit: 31 October 1996	
8	Biological Weapons Convention (BWC)	X	Deposit: 27 December 1972	
9	Geneva Protocol of 1925	X	Deposit: 11 October 1952	
10	Other Conventions/Treaties	X	1. EURATOM Treaty 2. More 12 UN Conventions and Protocols on Terrorism 3. Global Initiative to combat Nuclear Terrorism 4. Amendment to the Convention of the Physical Protection of Nuclear Material 5. State party to 14 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): a. International Convention for the Suppression of Terrorist Bombings (13 November 2001)	

	Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
			b. International Convention for the Suppression of the Financing of Terrorism (14 October 2002)	
11	International Atomic Energy Agency (IAEA)	X	Since 8 August 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribe: 25 November 2002	
13	Other Arrangements	X	1. NSG since 1978 2. MTCR since 1993 3. ZC 1974 4. AG since 1992 5. WA since 12 December 1995 6. Proliferation Security Initiative 31 May 2003 7. Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	Is a party to the NPT, CWC, BWC as a non-possessor State	
15	General statement on commitment to disarmament and non-proliferation	X	National Security Strategy EU Strategy for Preventing the Proliferation of WMD	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any form of support to non-State actors	
17	Other[1]	X	1. Outer Space, deposit: 26 June 1967 2. Sea-Bed Treaty, deposit: 18 November 1975 3. Open skies, deposit: 24 March 1992 4. Organisation for Security and Cooperation in Europe (OSCE) 5. European Union (EU) 6. Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) 7. INTERPOL	

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues	*YES*	*If YES, relevant information (i.e. signing, accession, ratification, etc)*	*Remarks (information refers to the page of the English version of the national report or an official website)*
		8. World Customs Organization (WCO), and signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards)	

[1] Including, as appropriate, information with regard to membership in relevant international, regional or subregional organizations.

OP 2 — Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

State: **Hungary**

Date (date)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document of national implementation law*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
1 manufacture/ produce	X	X	X	*NW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3); Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 11/1975 on BWC* *(This order to be followed for fields below)*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)* *NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)* *(This order to be followed for fields below)*	
2 acquire	X	X	X	*NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3); Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)*	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				
	YES				YES				
	NW	CW	BW	If YES, source document of national implementation law	NW	CW	BW	If YES, source document	Remarks
								NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	
3 possess	X	X	X	*NW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 12/1970 on NPT* *CW: Act CIV of 1997 on CWC* *BW: Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention,) Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)* *NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	
4 stockpile/store	X	X	X	*NW: Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC*				*NW, CW, BW: Penal Code (Act C of 2012), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism)* *NW. Penal Code Section 250 (Misuse of Radioactive Substance), Section 326 (Crimes with Weapons Prohibited by International Convention*	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework				Enforcement: civil criminal penalties and others				
	YES				YES				
	NW	CW	BW	If YES, source document of national implementation law	NW	CW	BW	If YES, source document	Remarks
5 develop	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
6 transport	X			NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC, Law-Decree 12/1970 on NPT CPPNM	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework				Enforcement, civil/criminal penalties and others				
	YES				YES				
	NW	CW	BW	If YES, source document of national implementation law	NW	CW	BW	If YES, source document	Remarks
7 transfer	X	X	X	*NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items)* *NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	
8 use	X	X	X	*NW: Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)* *NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document of national implementation law*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
9 participate as an accomplice in above-mentioned activities	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 12-14 (Perpetrator is a person who realizes the legal facts of a crime. Coprincipals are the persons who jointly realize the legal facts of an intentional crime, in awareness of each other's activities. Abettor is a person who intentionally persuades another person to perpetrate a crime. Accessory is who intentionally grants assistance for perpetration of a crime. The item of punishment established for the perpetrators shall also be applied for accomplices.)*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions),* *Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism)* *NW: Section 250 (Misuse of Radioactive Substance)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	
10 assist in above-mentioned activities	X	X	X	*NW: Fundamental Law of Hungary, Article Q (2), (3)* *NW, CW, BW: Penal Code (Act C of 2012) Section 12-14 (Perpetrator is a person who realizes the legal facts of a crime. Coprincipals are the persons who jointly realize the legal facts of an intentional crime, in awareness of each other's activities. Abettor is a person who intentionally persuades another person to perpetrate a crime. Accessory is who intentionally grants assistance for perpetration of a crime. The item of punishment established for the perpetrators shall also be applied for accomplices.)*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions)* *Penal Code Section 329 (Criminal Misuse of Military Items and Services).* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)*	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		*National legal framework*				*Enforcement, civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document of national implementation law*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC *BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC*					
11	finance above-mentioned activities	X	X	X	*NW, CW, BW: Act LII of 2017 on the implementation of financial and asset restraint measures imposed by the European Union and the UN Security Council* *NW: Law-Decree 12/1970 on NPT*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism)*	
12	above-mentioned activities related to means of delivery[2]	X	X	X	*NW: Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC* *BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items)* *CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison))*	
13	involvement of non-State actors in above-mentioned activities	X	X	X	*NW: Law-Decree 12/1970 on NPT* *CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC* *BW: Law-Decree 11/1975 on BWC*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of*	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	*National legal framework*				*Enforcement: civil criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document of national implementation law*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
								Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items)	
								CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
14 Other		X	X	***CW: Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision***		X	X	***CW, BW: administrative, financial penalty: Government Office of the Capital City Budapest as authority***	
				BW: Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision					
				NW, CW, BW: Government Decree 13/2011 on the licensing of foreign trade in dual-use goods, Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings, Act CIX of 2005 on the licensing of the production of military goods and of military service provision					

[2] Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) — Account for/Secure/Physically protect NW, CW and BW, including Related Materials[3]

State: **Hungary**

Date (date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework* — *YES*				*Enforcement, civil/criminal penalties and others* — *YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
1 Measures to account for production	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) 3.) Ministerial decree 11/2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material *CW: 1. Act XXV of 2000 on Chemical Safety*	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) *CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations), Section 189 (Misuse of noxious articles),* *2. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				2. Act CXXVII. of 2011 on prevention of catastrophes *3. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision* *BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC), Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data and coordinate public health services surveillance network* *2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents* *3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and*				*Weapons and on their Destruction and the Order of Supervision* *BW: The ECDC has established a biorisk export group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project* *1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations)* *2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases* *3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites* *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision (This order to be followed for fields below)*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				designation of the public health authority *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision* *(This order to be followed for fields below)*					
2 Measures to account for use	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) 3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement)	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework: YES				Enforcement: civil/criminal penalties and others: YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material *CW: 1. Act XXV of 2000 on Chemical Safety* *2. Act CXXVII. of 2011 on prevention of catastrophes* *3. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision"* *BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC). Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data and coordinate public health services surveillance network* *2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to*				*CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations), Section 189 (Misuse of noxious articles)* *2. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision"* *BW: The ECDC has established a biorisk export group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project* *1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations)* *2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases* *3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents *3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and designation of the public health authority* *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prol:ibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision*				*removal of pathogenic or toxic material from laboratory sites* *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision*	
3	Measures to account for storage	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework: YES				Enforcement: civil criminal penalties and others: YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				the operator, inspection and enforcement) 3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material *CW: 1. Act XXV of 2000 on Chemical Safety* *2. Act CXXVII. of 2011 on prevention of catastrophes* *3. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision"* *BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC), Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data*					rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) *CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles)* *2. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision"* *BW: The ECDC has established a biorisk export group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project* *1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations)* *2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					and coordinate public health services surveillance network *2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents* *3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and designation of the public health authority* *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision*				*3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites* *4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision*	
4	Measures to account for transport	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) 3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material *CW, BW: Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008* *5.) Governmental Decree 34/2009. promulgated the provisions of Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel*				3.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) *CW, BW: Party to ADR and RID agreements*	
5 Other measures for accounting	X		X	NW: 1. Council Directives 2003/122/EURATOM 2. Directive 96/29/EURATOM *BW: 1. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention*			X	*BW: Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision					
6 Measures to secure production	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32 *2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection* *CW: 1. Act XXV of 2000 on Chemical Safety* *2. Act CXXVII. of 2011 on prevention of catastrophes* *BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents* *2. Act CXXVII. of 2011 on prevention of catastrophes*	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and Section 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act. *CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles)* *BW: The ECDC has established a biorisk export group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project* *1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations)*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
								2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases	
								3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites	
7 Measures to secure use	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32 *2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection* *CW: 1. Act XXV of 2000 on Chemical Safety* *2. Act CXXVII. of 2011 on prevention of catastrophes* *BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents*	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and Section 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act. *CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles)* *BW: The ECDC has established a biorisk expert group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework:*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				2. Act CXXVIII of 2011 on prevention of catastrophes				*1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations)* *2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases* *3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites*	
8 Measures to secure storage	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32 *2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection* *CW: 1. Act XXV of 2000 on Chemical Safety* *2. Act CXXVII. of 2011 on prevention of catastrophes* *BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision*	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and Section 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act. *CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles)* *BW: The ECDC has established a biorisk export group project in addition to*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework: YES				Enforcement: civil/criminal penalties and others: YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents *2. Act CXXVIII of 2011 on prevention of catastrophes*				*coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation — Biosafety mission and project* *1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations)* *2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases* *3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites*	
9 Measures to secure transport	X	X	X	NW: 1. Council Directives 94/55/EEC and 96/49/EEC 2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection *NW, CW, BW: Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008* *CW, BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection*	X	X	X	NW: 1. Penal Code, Sections 250 (Misuse of radioactive substances) *NW, CW, BW: Party to ADR and RID, IATA agreements*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and proce,ses dealing with biological agents *2. Act CXXVIII of 2011 on prevention of catastrophes* *CW: Regulation (EC) 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures*					
10	Other measures for securing		X		*CW: Government Decree 18/2006 on the containing of the fallout from accidents involving dangerous substances* *BW:* Act XIVII of 1997 on the management and protection of health relevant data and personal data			X	*BW: Army Mobile Biological Laboratory Complex biosafety level 3 laboratory* *National Safety Laboratory: public health laboratory dealing with risk group 2/3/4 pathogens of public health importance and bioterrorism.*	
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW: 1. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection *2. Government Decree 118/2011 on the nuclear safety requirements for nuclear facilities* *CW: Government Decree 219/2011 on the containing of the fallout from*	X		X	NW: 1. Penal Code, Section 251 (Misuse of the operation of nuclear facilities) 2. Act CXVI of 1996 on atomic energy, Section 50. It will not be qualified as nuclear damage, and the licensee shall be liable for it in accordance with the Civil Code, if the damage a) was caused to the condition of the nuclear facility or to any property on the site of that	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework: YES NW	CW	BW	If YES, source document	Enforcement: civil criminal penalties and others: YES NW	CW	BW	If YES, source document	Remarks
				accidents involving dangerous substances *BW: 1. Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008* *2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents* *3. Act CXXVIII of 2011 on prevention of catastrophes*				facility, which is used or intended to be used in connection with that facility; b) was caused to the means of transport upon which the given nuclear material was placed at the time of the nuclear accident. *BW: The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites*	
12 Licensing/ registration of installations/ facilities/ persons/entities/ use/handling of materials	X	X	X	NW: 1. Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel 2. Act CXVI of 1996 on atomic energy, Section 17, and Sections 30–32 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific	X		X	NW: 1. Penal Code, Sections 250 (Misuse of radioactive substances), 251 (Misuse of the operation of nuclear facilities) and 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act *BW: The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites*	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties and others*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				Committee assisting the HAEA's activity 4. Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material 5. Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions *CW: Government Decree 212/1998 on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision"* *BW: 1. Directive (EC) 2000/54 of the European Parliament and the Council of 18 September 2000* *2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains previsions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents*					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials[3] Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties and others*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					3. Government Decree 21/2013 on Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision					
13	Reliability check of personnel	X			NW: Act CXVI of 1996 on atomic energy, Section 10. (1) Users of atomic energy are responsible for the safe application of atomic energy and compliance with safety requirements. (2) The licensee — in its scope of activity — is obliged to provide the technical, technological, financial and personnel conditions required for the safe use of atomic energy and for maintaining and developing safety)	X			NW: Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act	
14	Measures to account for/ secure/ physically protect means of delivery	X	X		NW: Act CXVI of 1996 on atomic energy Sections 30–32 *CW: Act CIV of 1997 on CWC*					

[3] Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument).

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials (NW specific)

State: **Hungary**

Date (date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		
		YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
1	National regulatory authority	X	NW: Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity	X	NW: Hungarian Atomic Energy Authority Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity	
2	IAEA safeguards agreements	X	NW: 1. Safeguards Agreement in force 30 March 1972 2. Additional Protocol in force 04 April 2000 (Act XC of 1999) 3. The application of safeguards in Hungary under the bilateral NPT safeguards agreement INFCIRC/174, INFCIRC/174 Add.1. were suspended on 1 July 2007, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Hungary had acceded, entered into force for Hungary.	X	NW: 1. Safeguards Agreement Accession 1 July 2007 — INFCIRC/193/Add.15 2. Additional Protocol Accession — 1 July 2007 INFCIRC/193/Add.16	
3	IAEA Code of Conduct on the Safety and Security of Radioactive Sources	X	NW: Notification pursuant to GC(47)/RES/7.B		NW: Point of Contact for Import and Export — Hungarian Atomic Energy Authority (HAEA)	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil/criminal penalties and others*		
	YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
4 Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		NW: Notification pursuant to GC(48)/RES/10.D		NW: Point of Contact for Import and Export — Hungarian Atomic Energy Authority	
5 IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	NW: IAEA information system on illicit trafficking and other unauthorized activities involving nuclear and radioactive materials	X	NW: State participating in the program, Point of Contact — Hungarian Atomic Energy Authority (HAEA)	
6 Other Agreements related to IAEA	X	NW: 1. Act LXXVI of 2001 promulgating joint convention on the safety of spent fuel management and on the safety of radioactive waste management 2. INFCIRC/254/Rev.9/Part 1* November 7, 2007 Nuclear Export Guidelines			
7 Additional national legislation/regulations related to nuclear materials including CPPNM	X	NW: 1. Act I of 1997 promulgating the Convention on Nuclear Safety opened for signature in Vienna on September 20, 1994 2. Act LXXIV of 1999 on the organizational framework and supervision of catastrophe prevention and containment of the fallout from serious accidents involving dangerous substances 3. Government Decree n. 2 of 2001 on the containment of the fallout from serious accidents involving dangerous substances			

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	*National legal framework*		*Enforcement: civil/criminal penalties and others*		
	YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
		4. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection			
8 Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials (CW specific)

State: **Hungary**

Date (date)

Are any of the following measures procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		
		YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
1	National CWC authority	X	1. *Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* 2. *Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision*	X	*Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision*	
2	Reporting Schedule I, II and III chemicals to OPCW	X	*Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision*	X	1. *Act CIV of 1997 on CWC* 2. *Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision*	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?	*National legal framework*		*Enforcement civil criminal penalties and others*		
	YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
5 Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials (BW specific)

State: **Hungary**

Date (date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		*National legal framework*		*Enforcement: civil criminal penalties and others*		
		YES	*If YES, source document*	*YES*	*If YES, source document*	*Remarks*
1	Regulations for genetic engineering work	X	1. Council Directive 90/219/EEC 2. Act 27 of 1998 on biotechnology activity	X	1. *Penal Code (Act C of 2012) Section 168 (Intervention into Human genome)* 2. The Hungarian Biotechnology Association condemns any form of research and development, which could potentially contribute to the development or proliferation of biological and toxin weapons of mass destruction.	
2	Other legislation/ regulations related to safety and security of biological materials	X	Council Directive 89/2016/EC Council Directive 89/391/EC			
3	Other					

Paragraph 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear weapons, chemical weapons and biological weapons, including related materials

State: Hungary **Hungary**

Date (date)

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export /import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
1	Border control	X	X	X	*NW, CW, BW: 1. Union Customs Code* *2. Act CXXII of 2010 on the National Tax and Customs Administration* *3. Government Decree 13 /2011 on the licensing of foreign trade in dual-use goods (transit)* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *(This order to be followed for fields below)*	X	X	X	*NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions)* *2. Act CXXII of 2010 on the National Tax and Customs Administration* *(This order to be followed for fields below)*	
2	Technical support of border control measures				Union Code					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework: YES				Enforcement: civil criminal penalties, and measures of implementation, etc.: YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW, CW, BW: Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *CW: Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision*	
4 Enforcement agencies/ authorities	X	X	X	*NW, CW, BW: 1. Act CXXII of 2010 on the National Tax and Customs Administration* *2. Act CXXV of 1995 on national security services*	X	X	X	*NW, CW, BW: 1. National Tax and Customs Administration* *2. National security services*	
5 Export control legislation in place	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items*	X	X	X	*NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 330 (Criminal Misuse of Dual-Use Items and Technology), Section 329 (Criminal Misuse of Military Items and Services)*	

Which of the following legislation, procedures measures, agencies exist to control border crossings export import and other transfers of WE CW BW and Related Material Can violators be penalized?		*National legal framework*				*Enforcement: civil criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods *3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *NW: 1. Act CXVI of 1996 on Atomic Energy* *2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods*				*2. Act CXXII of 2010 on the National Tax and Customs Administration* *3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
6	Licensing provisions	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items*	X	X	X	*NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions),* Section 329 *(Criminal Misuse of Military Items and Services),*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods *3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *5. Act CIX of 2005 on the licensing of the production and provision of military technology products and services* *NW: 1. Act CXVI of 1996 on Atomic Energy* *2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods*				Section 330 (Criminal Misuse of Dual-Use Items and Technology) *2. Act CXXII of 2010 on the National Tax and Customs Administration* *3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
7	Individual licensing	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *NW: 1. Act CXVI of 1996 on Atomic Energy*	X	X	X	*NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions),* Section 329 *(Criminal Misuse of Military Items and Services),* Section 330 (Criminal Misuse of Dual-Use Items and Technology) *2. Act CXXII of 2010 on the National Tax and Customs Administration* *3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalities, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods					
8	General licensing	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions),* Section 329 *(Criminal Misuse of Military Items and Services),* Section 330 (Criminal Misuse of Dual-Use Items and Technology) *2. Act CXXII of 2010 on the National Tax and Customs Administration* *3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				NW: 1. Act CXVI of 1996 on Atomic Energy *2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods*					
9 Exceptions from licensing	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial*	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil criminal penalties, and measures of implementation, etc.*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
				matters, and on the regional metrology and technical safety authorities *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*					
10 Licensing of deemed export/ visa	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) *NW, CW, BW: 1. Council Joint Action 401/2000 of 22 June 2000 on the control of technical assistance related to certain military end-uses* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
	YES				*YES*				
	NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
11 National licensing authority	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) *NW, CW, BW: 1. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW*: Hungarian Atomic Energy Authority *CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
12 Interagency review for licenses		X	X	NW, *CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for*		X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					control of exports, transfer, brokering and transit of dual-use items *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *NW: Act CXVI of 1996 on Atomic Energy*				*exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
13	Control lists	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*		X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
14	Updating of lists		X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for*		X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					control of exports, transfer, brokering and transit of dual-use items *2. Directive 2009/43/EC of the European Parliament and of the Council of the European Union simplifying terms and conditions of transfers of defence-related products within the Community*				*exports, transfer, brokering and transit of dual-use items* *2. Directive 2009/43/EC of the European Parliament and of the Council of the European Union simplifying terms and conditions of transfers of defence-related products within the Community* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
15	Inclusion of technologies	X	X	X	*NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention)*, Section 329 *(Criminal Misuse of Military Items and Services)*, Section 330 (Criminal Misuse of Dual-Use Items and Technology)	

		National legal framework				Enforcement: Civil/Criminal penalties, and measures to implementation, etc.					
		YES				YES					
	Control of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*NW*	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
16	Inclusion of means of delivery	X	X	X	*NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention)*	
17	End-user controls	X	X	X	*NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention)*, Section 329 *(Criminal Misuse of Military Items and Services)*, Section 330 (Criminal Misuse of Dual-Use Items and Technology)	

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export /import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	*National legal framework*				*Enforcement: civil/criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*					
18	Catch all clause	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention)*	
19	Intangible transfers	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention)*, Section 330 (Criminal Misuse of Dual-Use Items and Technology)	

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework — YES				Enforcement: civil/criminal penalties, and measures of implementation, etc. — YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods					
20	Transit control	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* *4. Act CXXII of 2010 on the National Tax and Customs Administration*	
21	Trans-shipment control	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods*	X	X	X	*NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-*	

Which of the following legislative procedures, measures or agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
				3. Union Customs Code *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*				*related activity and certification of undertakings* 4. Union Customs Code *5. Act CXXII of 2010 on the National Tax and Customs Administration*	
22 Re-export control	X	X	X	*NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* 3. Union Customs Code *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	X	X	X	*NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings* 4. Union Customs Code *5. Act CXXII of 2010 on the National Tax and Customs Administration*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and measures of implementation, etc.				
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks
23 Control of providing funds								*1. Regulation 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community* *2. Act XLVIII. of 2007 on the implementation of Regulation 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community* *3. Act CXXII of 2010 on the National Tax and Customs Administration*	
24 Control of providing transport services									
25 Control of importation	X	X	X	*NW: 1. Act CXVI of 1996 on atomic energy (licensing of nuclear exports and imports prior to undertaking of such activities)* *2. Government decree 14[illegible] on the regulation of international transfer of nuclear and nuclear dual use items* *NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a*	X	X	X	*NW, CW, BW:* *1. Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention)*, Section 329 (Criminal Misuse of Explosives, Firearms and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology) *2. Act CXXII of 2010 on the National Tax and Customs Administration*	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export, import and other transfers of CB, CW, BW and Related Materials? Can violators be penalized?		*National legal framework*				*Enforcement: civil, criminal penalties, and measures of implementation, etc.*				
		YES				*YES*				
		NW	*CW*	*BW*	*If YES, source document*	*NW*	*CW*	*BW*	*If YES, source document*	*Remarks*
					Community regime for control of exports, transfer, brokering and transit of dual-use items *2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods* *4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*					
26	Extraterritorial applicability	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 3–4 (Territorial and Personal Effect)*	X	X	X	*NW, CW, BW: Penal Code (Act C of 2012) Section 3–4 (Territorial and Personal Effect)*	
27	Other									

OP 6, 7 and 8 (d) — Control lists, Assistance, Information

State: **Hungary**

Date (date)

Can information be provided on the following issues?		*Yes*		*Remarks*
1	Control lists — items (goods/equipment/materials/ technologies)	X	*Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items* *Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings*	
2	Control lists — other	X	Use of Catch-all, no list	
3	Assistance offered	X	Legal, Licensing, safeguards, security expertise	
4	Assistance requested			
5	Point of Contact for assistance	X	Ministry of Foreign Trade and Affairs, Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency	
8	Work with and inform the public	X	Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency	
9	Point of Contact	X	Ministry of Foreign Trade and Affairs, Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency	
10	Other[1]			

[1] Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.

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